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5 GERROD HERNDON,
6 Plaintiff,
7 v.
8 LAW ENFORCEMENT,
9 Defendant(s).

Case No. [22-cv-01018-CRB](#) (PR)

ORDER OF DISMISSAL

10 Plaintiff, a former state prisoner currently residing at All Saints Extended Care, an assisted
11 living facility in San Rafael, California, filed a pro se complaint for damages under 42 U.S.C. §
12 1983 using the court's prisoner complaint form wherein he alleges that he "was pushed, hurt bad
13 and arrested for no reason." ECF No. 1 at 2. He names "law enforcement," which he defines as
14 "police, CDCR, sheriff [and] CHP," as defendants. Id.

15 On April 21, 2022, the court dismissed the complaint with leave to amend within 28 days.
16 The court explained that "to state a cognizable § 1983 claim for damages for use of excessive
17 force during arrest and/or unlawful arrest without probable cause, plaintiff must name individual
18 defendants and set forth specific facts showing how each individual defendant actually and
19 proximately caused the deprivation of the federal right of which plaintiff complains." ECF No. 5
20 at 2 (citations omitted). "Plaintiff's conclusory allegations against law enforcement in general will
21 not do." Id. at 2. The court warned plaintiff that "[f]ailure to file a proper amended complaint
22 within [28 days] will result in the dismissal of this action." Id.

23 More than 28 days have passed but plaintiff has neither filed a proper amended complaint
24 nor sought an extension of time to do so. This action accordingly is DISMISSED.

25 The clerk is instructed to close the case and terminate all pending motions as moot.

26 **IT IS SO ORDERED.**

27 Dated: May 26, 2022
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CHARLES R. BREYER
United States District Judge